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Epic Games, Inc.*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

EPIC GAMES, INC.,

Case No. 4:20-CV-05640-YGR-TSH

Plaintiff, Counter-defendant,

## EPIC'S ADMINISTRATIVE MOTION TO DEEM ADMITTED EXHIBITS ON BOX AS FILED ON THE DOCKET

APPLE INC.,

Hon. Yvonne Gonzalez Rogers

Defendant, Counterclaimant.

1 **ADMINISTRATIVE MOTION TO DEEM ADMITTED EXHIBITS ON BOX AS FILED**  
2 **ON THE DOCKET**

3 Following a bench trial, this Court entered judgment on the complaint in favor of Plaintiff,  
4 Counter-defendant Epic Games, Inc. (“Epic”) on the Tenth Count for violation of California’s  
5 Unfair Competition Law and in favor of Defendant, Counterclaimant Apple Inc. (“Apple”) on all  
6 other counts. On the counterclaims for breach of contract and declaratory relief, this Court  
7 entered judgment in favor of Apple. Both parties have appealed.

8 In connection with Epic’s appeal, Epic intends to cite certain exhibits and deposition  
9 designations that were admitted at trial and considered by this Court, but are not yet filed with this  
10 Court and therefore are not included on this Court’s electronic docket. Instead, the exhibits and  
11 deposition designations that Epic intends to cite are available on a publicly accessible Box  
12 account, per the parties’ agreement and this Court’s Pretrial Order No. 4. (Dkt. No. 468 at 3.)

13 Circuit Advisory Committee Note to Circuit Rule 27-14 provides that “the parties are  
14 encouraged during the course of the district court proceedings to file documentary exhibits  
15 electronically” so that they are included in the electronic district court docket and made accessible  
16 to the Court of Appeals.

17 Epic understands that the admitted trial exhibits and deposition designations are already  
18 part of the record on appeal. But for the avoidance of doubt, Epic hereby moves that the admitted  
19 exhibits and deposition designations on the publicly accessible Box account be deemed as filed on  
20 this Court’s electronic docket.

1 Dated: January 20, 2022

Respectfully submitted,

2 By: /s/ John I. Karin  
3

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